

Via Facsimile

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OFFICE OF PETITIONS

Mail Stop Petition
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: Charlema R. Grant
Petitions Attorney
Fax # 703-872-9306

In re the Application of
Davide Grasseti, PHD, and Camillo Moro
Application no. 10/044,463
Filed: January 16, 2002
Title of Invention: Method of IMMUNOMODULATION USING THIONE-FORMING
DISULFIDES

RENEWED PETITION under 37 CFR §1.1379(a)

Enclosures: Petition
Copy of the Assignment Executed by Camillo Moro in favor of Davide
Grasseti, PHD dated 04/02/2002.
DECLARATION FOR UTILITY/DESIGN PATENT APPLICATION

CC: Morrison & Forster
Camillo Moro

BEST AVAILABLE COPY

In Re: Application No. 10/044/643

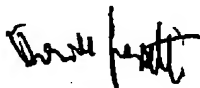
RENEWED PETITION number 37 CFR section 1.137(a)

Inventor Davide Grassetti hereby petitions the U.S. Patent Office for Renewal under 37 CFR section 1.137(a) for the following reasons:

1. An ASSIGNMENT BY ONE JOINT INVENTOR TO THE OTHER JOINT INVENTOR was executed by Camillo Moro in favor of Davide Grassetti, on 04/02/2002. (enclosed)
2. This assignment was faxed in February 2002 to the lawfirm of MORRISON & FORSTER (MOFO.) Mr. Moro dated the assignment the Italian way with the day listed before the month and year, i.e. 04/02/2002 being February 2002.
3. Apparently MOFO failed to transmit this assignment to the U.S. Patent Office, so that it was not filed together with the Application.
4. In April of 2002, MOFO notified the inventor, Davide Grassetti, that it would quit his employment effective June 1, 2002. Davide Grassetti then employed his accountant, Mr. Bernkoff, to take care of the files for him, as Dr. Grassetti is now legally blind.
5. During 2003, Dr. Grassetti received a Notice of Missing Documents from the U.S. Patent Office.
6. Dr. Grassetti had no way of knowing which document was missing from the file. Therefore another declaration was filed on or about September 16, 2003.
7. Dr. Grassetti had no way of knowing why the application was abandoned until the Notice of DISMISSAL, dated March 23, 2004, was received. This Notice was the first mention of the requirement that the signatures of both inventors are required.
8. Dr. Grassetti and Camillo Moro did everything they could to prevent Abandonment.
9. The Abandonment was apparently caused by the Negligence and Malfeasance on the part MOFO who failed in their commitment to write, file, and complete two patent applications.

For these reasons the only remedy for this Negligence would be legal action. Therefore, Dr. Grassetti hereby Petitions the U.S. Patent Office to reinstate Application No. 10/044,643, and to restore the time lost by this negligence and malfeasance.

Sincerely,



Davide Grassetti, PHD
Inventor and Assignee

PATENT
Docket No. 497872000400

DECLARATION FOR UTILITY/DESIGN PATENT APPLICATION**AS A BELOW-NAMED INVENTORS, WE HEREBY DECLARE THAT:**

Our residence, post office addresses, and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHOD OF IMMUNOMODULATION USING THIONE-FORMING DISULFIDES**, the specification of which is attached hereto unless the following box is checked:

☒ was filed on January 10, 2002 as United States Application Serial No. 10/044,463

WE HEREBY STATE THAT WE HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

We acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing (MM/DD/YYYY)	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No

We hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date
60/260,943	January 10, 2001

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, we acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

pa-657199

Application Serial No.	Filing Date	Status
		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: _____
Name: Davide R. GRASSETTI
Residence: 19310 Peppermint Falls Road, Jamestown, California 95327
Citizenship: U.S.A.
Post Office Address: Same as above

Date: 04/02/2002
Name: Carillo Moro
Residence: via G. Zenon, 26, 35133 - Padova, Italy
Citizenship: Italy
Post Office Address: Same as above

DEAR MICKY,
THIS IS WHAT I HAVE
SIGNED AND SENT BACK
TO ROFO ON FEB. 2002 -

Carillo!
Carillo

Attorney Docket No.: 497872000400

**ASSIGNMENT BY ONE JOINT INVENTOR
TO THE OTHER JOINT INVENTOR**

WHEREAS, Davide GRASSETTI (hereinafter assignee) and Camillo MORO (hereinafter assignor), citizens of the United States of America and Italy respectively, residing at 19810 Peppermint Falls Road, Jamestown, California 95327 and via G. Zanon, 26, 35133 - Padova, Italy, respectively, are the inventors, applicants and owners of the entire right, title and interest in and to United States Letters Patent application entitled "METHOD OF IMMUNOMODULATION USING THIONE-FORMING DISULFIDES" and bearing Serial No. 10/044,463 and filed on January 10, 2002; and

WHEREAS, assignee is desirous of acquiring assignor's entire right, title and interest in and to said invention within the United States of America and its territorial possessions and in and to any United States Patent that may be granted therefor and in and to said application;

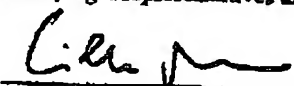
NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, the said assignor has sold, assigned, transferred and set over, and by these presents does sell, assign, transfer and set over, unto the assignee, his successors, legal representatives and assigns, his entire right, title and interest in and to the above-mentioned invention, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations, and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by the said assignee, for his own use and the use of his successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have held and enjoyed by the assignor, had this sale and assignment not been made.

AND for the same consideration, the said assignor hereby covenants and agrees to and with the said assignee, his successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, the said assignor is the sole and lawful owner of his entire right, title and interest in and to the said invention and the application for Letters Patent above-mentioned, and that the same are unencumbered and that the said assignor has good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, the said assignor hereby covenants and agrees to and with the said assignee, his successors, legal representatives and assigns, that the said assignor will, whenever counsel of the said assignee, or the counsel of his successors, legal representatives and assigns, shall advise that any proceeding in connection with said invention, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said invention in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent, or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said invention, without charge to the said assignee, his successors, legal representatives and assigns, but at the cost and expense of the said assignee, his successors, legal representatives and assigns.

AND the said assignor hereby requests the Commissioner of Patents to issue said Letters Patent of the United States to the said assignee, as the assignee of said invention and the Letters Patent to be issued thereon for the sole use of the said assignee, his successors, legal representatives and assigns.

04/02/2002
Date


Camillo MORO

pa-677691

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